

**Testimony on HB 161 Pertaining to repealing the Medical Marijuana Act.  
Submitted on February 28, 2011,  
To the Montana Senate Judiciary Committee  
By Calvina Fay, Executive Director, Save Our Society From Drugs**

Dear Members of the Senate Judiciary Committee:

We respectfully request that this testimony, on behalf of Save Our Society From Drugs, a national drug policy organization with members in the state of Montana, be included in the hearing that is scheduled for March 11, 2011 on HB 161.

Save Our Society From Drugs, (S.O.S.) has over ten years of experience in monitoring and making policy recommendations on drug policy issues including those pertaining to marijuana as a so-called medicine. We have worked with many cities and states to help close the loopholes that often exist with these programs. S.O.S. takes a comprehensive approach to promote sound drug policy that includes education, prevention, abstinence-based treatment, scientific research, and community awareness. Our members include doctors, researchers, law enforcement officials, business leaders, lawyers, and parents, just to name a few.

In 2004 when Montana voters approved the "medical" marijuana initiative, it was under the belief that they were being compassionate to a small number of chronically ill people. In reality they got a highly abused program and community pot shops.

As of January 2011, there were 28,362 participants in the registry program, an increase of more than 16,000 users since March 2010! Of the 28,362 registered users, approximately 86% are treating chronic pain (an indefinable term that is being used to cover medical conditions such as menstrual cramps, headaches, and minor arthritis) or chronic pain with muscle spasms. Combined, the more serious conditions such as cancer, glaucoma and HIV represent less than 3% of the program's participants. The highest percentage of registered users, 25%, are between 21-30 years of age.

Several states, witnessing similar abuses, have attempted to control their marijuana businesses by enacting what they believe to be tighter restrictions and regulations. In 2010 Colorado's department of Health took steps to further define the responsibilities of a caregiver and adopt guidelines for physicians who recommend marijuana. After receiving several legal threats, the department dropped the issues and it was later watered down and introduced as legislation. Did the legislation result in buckling down of the program? No. As of June 30, 2010, the last update on the program's website, the Marijuana Registry Program has over 95,000 individuals that legally hold registry ID cards, up 30,000 since February, 2010! The average age of a Colorado cardholders is 40, 71% are male and 58% of cardholders live in the Denver Metro Area. Clearly "regulation" is not working.

California's attempts to regulate the marijuana industry have been equally unsuccessful. Several cities, including Anaheim, Los Angeles and San Diego, are involved in legal battles regarding dispensaries and registry cards. Within the last two-years, over 200 cities and 14 counties in California have banned or passed moratoriums on pot shops. This number speaks volumes about what happens when communities see through the smokescreen and are enlightened as to what "medical" marijuana really brings their communities - more illegal drug use, more crimes, and

more of our youth being sold marijuana (and sometimes other drugs) from so-called medical marijuana patients.

Montana has a unique opportunity to send a message to the rest of the country by passing landmark legislation to repeal a program that is a plague to the state. Marijuana is NOT a medicine but rather an addictive substance that has serious negative impacts on those that use it and others in the community. "Medical" marijuana has been linked to several recent violent crimes (see attached document).

Like cigarettes, marijuana is unique among other drugs in that users do not overdose on it, but that doesn't mean it is harmless to the body. Someone who smokes marijuana regularly can have many of the same respiratory problems as cigarette smokers. Persistent coughing, bronchitis and more frequent chest colds are possible symptoms. Regular use of marijuana compromises the ability to learn and to remember information by impairing the ability to focus, sustain and shift attention. Long term use reduces the ability to organize and integrate complex information. It is an addictive drug that possesses significant health consequences to its users. Research has linked marijuana use to birth defects, respiratory system damage, cancer, mental illness, violence, infertility, and immune system damage. It is impairing, and therefore, users of it are unsafe drivers and workers, putting the public and co-workers at risk.

Past evaluations by several Department of Health and Human Services agencies, including the FDA, Substance Abuse and Mental Health Services Administration and National Institute for Drug Abuse, found no sound scientific studies supported medical use of crude marijuana for treatment in the United States and no animal or human data supported the safety or efficacy of it for general medical use. In fact, there is no scientific research on crude marijuana's effectiveness and risks as a medicine, dosages, interactions with other drugs, and impact on pre-existing conditions. Studies on crude marijuana do not exist that can be used to establish the quantity of dose, frequency and duration of administration, route or method of administration of marijuana for any medical condition and smoking has never been a safe, acceptable method of administering medicine.

I hope that you will carefully consider these points and that you will SUPPORT this landmark legislation and help its passage through the legislature. The current "medical" marijuana law is beyond repair. It has been clearly shown that there are too many loopholes in the law for it to be safely regulated to provide protection for the citizens of Montana, especially our youth.

Sincerely,

*Calvina Fay*

**Calvina L. Fay**  
**Executive Director**  
**Save Our Society From Drugs**